

# **CITY COUNCIL AGENDA**

**MARCH 27, 2007**

## **SYNOPSIS**

PETE CONSTANT  
FORREST WILLIAMS  
SAM LICCARDO  
VACANT  
NORA CAMPOS

DISTRICT 1  
DISTRICT 2  
DISTRICT 3  
DISTRICT 4  
DISTRICT 5

CHUCK REED, MAYOR

PIERLUIGI OLIVERIO  
MADISON P. NGUYEN  
DAVID D CORTESE, VICE MAYOR  
JUDY CHIRCO  
NANCY PYLE

DISTRICT 6  
DISTRICT 7  
DISTRICT 8  
DISTRICT 9  
DISTRICT 10

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- ***Strategic Support Services*** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- ***Community & Economic Development*** — Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- ***Neighborhood Services*** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- ***Transportation & Aviation Services*** — A safe and efficient transportation system that contributes to the livability and economic health of the City; and provide for the air transportation needs of the community and the region at levels that is acceptable to the community.
- ***Environment and Utility Services*** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- ***Public Safety Services*** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

Items listed in Section 9 require approval of both the City Council and the San José Redevelopment Agency Board.

You may speak to the City Council about any item that is on the agenda, and you may also speak on items that are not on the agenda during Open Forum. If you wish to speak to the City Council, please refer to the following guidelines:

- **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
- When the Council reaches your item on the agenda, Mayor Reed will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.
- Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
- To assist you in tracking your speaking time, there is a display on the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

**The San José City Council meets every Tuesday at 1:30 p.m. and every first and third Tuesday at 7 p.m., unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.**

Agendas and Staff Reports for City Council items may be viewed on the Internet at [www.sanjoseca.gov/clerk/agenda.asp](http://www.sanjoseca.gov/clerk/agenda.asp). Council Meetings are televised live and rebroadcast on Channel 26.

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call (408) 535-1260 or (408) 294-9337 (TTY) at least two business days before the meeting.

On occasion the City Council may consider agenda items out of order.

- **Call to Order and Roll Call**  
**9:33 a.m.** - Closed Session, Call to Order in Council Chambers  
**Absent Council Members: Constant. (Excused)**  
**Vacant: District 4.**  
  
**1:31 p.m.** - Regular Session, Council Chambers, City Hall  
**Absent Council Members: Constant. (Excused)**  
**Vacant: District 4.**
- **Invocation (District 3)**  
Council Member Liccardo introduced Father Gerald Wade, who presented the invocation.
- **Pledge of Allegiance**  
Mayor Reed led the Pledge of Allegiance.
- **Orders of the Day**  
The Orders of the Day and the Amended Agenda were approved, with Item 3.2, March 7, 2007 and February 28, 2007 Rules & Open Government Committee Reports, deferred to 4/3/07.
- **Closed Session Report**  
No Report.

# 1. CEREMONIAL ITEMS

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- 1.1 Presentation of a business appreciation commendation to Grainger Corporation in recognition of its corporate presence and operations in San José, the Capital of Silicon Valley. (Mayor)  
(Rules Committee referral 01/17/07)  
(Deferred from 1/23/07 – Item 1.5)  
**Deferred, per Mayor.**
- 1.2 Presentation of a commendation to the Watson Park Team for their exemplary dedication and valuable contributions to the City organization. (City Manager’s Office/Mayor)  
**Mayor Reed and City Manager Les White recognized and commended the Watson Park Team for their outstanding dedication and important contributions to the City of San José.**
- 1.3 Presentation of a commendation to the Home Builders Association of Northern California for holding a fundraising dinner to benefit the San José Conservation Corps & Charter School, which supports programs such as YouthBuild San José. (Nguyen/Pyle)  
**Mayor Reed and Council Members Nguyen and Pyle recognized and commended the Home Builders Association of Northern California for supporting such programs as “YouthBuild San José”.**

# 2. CONSENT CALENDAR

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- 2.1 **Approval of Minutes.**  
**There were none.**
- 2.2 **Final adoption of ordinances.**  
**There were none.**
- 2.3 **Approval of an agreement for consulting services for the Integrated Development Tracking System.**

**Recommendation:** Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with CSDC System, Incorporated for technical consulting services for the Integrated Development Tracking System programming in the amount of \$159,000 for the term March 1, 2007 to March 31, 2008. CEQA: Not a Project. (Planning, Building and Code Enforcement)  
(Deferred from 2/27/07 – Item 2.18 and 3/20/07 – Item 2.3)  
**Deferred to 4/10/07, per Administration.**

## 2. CONSENT CALENDAR

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### 2.4 Approval of actions related to Maintenance District 18.

**Recommendation:** Adoption of a resolution of intention to increase the annual assessment and revise the scope of services in Maintenance District 18 (The Meadowlands) and directing the Director of Public Works to file an Engineer's Report. CEQA: Exempt, File No. PP07-020. Council District 8. (Public Works/Transportation)  
(Deferred from 3/6/07 – Item 2.8)

**Resolution No. 73702 adopted.**

### 2.5 Request for excused absences for Council Member Chirco.

**Recommendation:** Request for excused absences for Council Member Chirco from the Regular City Council Meeting and Closed Session on Tuesday, March 13, 2007 and the Regular Meeting of the Rules and Open Government Committee on Wednesday, March 14, 2007 due to Illness. (Chirco)  
(Rules Committee referral 3/14/07)

**Approved.**

### 2.6 Approval of fiscal actions for Redevelopment Agency Capital Projects.

**Recommendation:**

- (a) Adoption of the following Appropriation Ordinance and Funding Sources Resolution amendments in the Services for Redevelopment Capital Projects Fund (City-side Redevelopment Fund):

- (1) Increase the estimate for Earned Revenue by \$315,000.
- (2) Increase the appropriation to the Department of Transportation for the Traffic Calming Improvements project (PSM #458, Amendment 1) in the amount of \$45,000.
- (3) Establish an appropriation to the Department of Transportation for the West San Carlos Median Uplight project (PSM #485) in the amount of \$270,000.

**Ordinance No. 28004 adopted.**

**Resolution No. 73703 adopted.**

- (b) Adoption of a resolution making certain determinations regarding the related expenditure of Redevelopment Agency funds on certain public improvements in connection with:

- (1) The West San Carlos Median Uplight Project as more specifically described in the memorandum from the Redevelopment Agency, dated November 22, 2006.

CEQA: Exempt, File No. PP05-212 and Non-Exempt, File No. PP94-10-189. Council Districts 5 and 6. SNI: Mayfair. (City Manager's Office/Transportation)

**Resolution No. 73704 adopted.**

## **2. CONSENT CALENDAR**

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### **2.7 Approval to amend an agreement related to an evaluation of the City's performance measures and organizational efficiencies.**

**Recommendation:** Approval of a second amendment to the continuation agreement with Management Partners, Inc. for professional services related to an evaluation of the City's performance measures and organizational efficiencies, extending the term of agreement through June 30, 2008, and increasing compensation by \$100,000 for a total contract amount up to \$250,000. CEQA: Not a Project. (City Manager's Office)

**Approved.**

### **2.8 Approval to award open purchase order #19 for FY 2006-2007.**

**Recommendation:** Approval of award of open purchase orders for supplies, materials, equipment and services for FY 2006-2007 #19 and authorization for the Director of Finance to execute the purchase orders. CEQA: See Administration's Memorandum to Council for specific CEQA clearance determinations on each recommended action. (Finance)

**Approved.**

### **2.9 Approval to amend an agreement for consulting services for the implementation of the PeopleSoft Recruiting System.**

**Recommendation:** Adoption of a resolution authorizing the Director of Finance to:

- (a) Negotiate and execute an amendment to the consulting services agreement with CedarCrestone, Inc., increasing the amount of total compensation by \$299,200 from \$1,245,516 for a total amount not to exceed \$1,544,716, to assist in the implementation of the PeopleSoft Recruiting System.
- (b) Negotiate and execute change orders not to exceed a 10% contingency amount of \$30,000 to cover unanticipated changes or requirements related to the design and implementation of the project.

CEQA: Not a Project. (Human Resources/Finance)

**Deferred to 4/10/07, per Administration.**

### **2.10 Approval to amend a master agreement for environmental consultant services.**

**Recommendation:** Approval of a first amendment to the consultant agreement for consultant services with LSA Associates, Inc. through June 30, 2008, to amend the fee schedule to expand the list of job classifications for environmental professionals, with no increase to the total compensation of \$500,000. CEQA: Not a Project. (Parks, Recreation and Neighborhood Services)

**Approved.**

## 2. CONSENT CALENDAR

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### 2.11 Approval of actions related to the Evergreen \*East Hills Vision Strategy.

**Recommendation:** Approval to proceed with the following actions to continue funding for the completion of the Evergreen\*East Hills Vision Strategy, Evergreen Area Development Policy update, and related documents:

- (a) Approval of an amendment to the funding agreement with Yerba Buena Opco, Inc. to extend the funding agreement from January 1, 2007 through June 30, 2007 for the work associated with completing the Evergreen\*East Hills Vision Strategy which encompasses an update to the Evergreen Area Development Policy and related documents; and
- (b) Adoption of a resolution authorizing the Director of Planning, Building and Code Enforcement to negotiate and execute minor amendments to the funding agreement to account for increases in funding received from Yerba Buena Opco, Inc. and minor schedule or task changes that remain consistent with the information contained in and the goals identified in this memorandum.

CEQA: Exempt, File No. PP03-10-349. Council Districts: 5, 7, and 8. SNI: West Evergreen, K.O.N.A., and East Valley/880. (Planning, Building and Code Enforcement)  
**Dropped, per Administration.**

### 2.12 Adoption of a new resolution related to grant funds for a Waste Tire Enforcement Grant Program.

**Recommendation:** Adoption of a new resolution authorizing the City Manager or a designee to execute, upon receipt, a grant agreement with the California Integrated Waste Management Board (CIWMB) for a waste tire enforcement program, of approximately \$230,670 for FY 2006-2007 and authorizing the City Manager or a designee to apply for, and execute upon receipt, a grant agreement with the CIWMB for the subsequent four fiscal years, FY 2007-2008 through FY 2010-2011 and superseding Resolution No. 73684. CEQA: Exempt File No. PP07-023. (Planning, Building and Code Enforcement)  
**Resolution No. 73705 adopted.**

## 3. STRATEGIC SUPPORT SERVICES

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### 3.1 Report of the Study Session Mayor Reed, Chair

**Recommendation:** Approval of City Council Study Session Minutes:

- (a) Recycle Plus Program and Procurement Process of August 11, 2006
- (b) The Coyote Valley Specific Plan, Introduction to Form-Based Zoning of August 25, 2006

(Deferred from 3/6/07 – Item 3.1, 3/13/07 – Item 3.1 and 3/20/07 – Item 3.1)

**Approved.**

### **3. STRATEGIC SUPPORT SERVICES**

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#### **3.2 Report of the Rules and Open Government Committee – March 7, 2007**

##### **Mayor Reed, Chair**

- (a) City Council
  - (1) Review March 13, 2007 Final Agenda
  - (2) Review March 20, 2007 Draft Agenda
    - (a) Review of items that meet exception rule
- (b) Redevelopment Agency items reported out at Redevelopment Agency meeting
- (c) Legislative Update
  - (1) State
  - (2) Federal
- (d) Meeting Schedules
- (e) The Public Record
- (f) Appointments to Boards, Commissions and Committees
- (g) Rules Committee Reviews, Recommendations and Approvals
  - (1) Staff Analysis Conducted Regarding Proposed San José Human Rights Commission Resolution regarding “No-Match” Letters.  
(Continued from 2/14/07)
  - (2) Response to the Report of the Government Reforms & Ethics Subcommittee of the Mayor’s Transition Committee.  
(Deferred from 2/28/07)
  - (3) Request to consider waiving the closed session privilege and the release of all documents regarding recent negotiation with San José Police Officer’s Association and International Association of Fire Fighters Local 230.
  - (4) Human Rights Commission Resolution on Social Security Administration “No-Match” Letters Proposed Department of Homeland Security Regulation.
- (h) Review of Council Committee Agendas
- (i) Open Government Initiatives
  - (1) Reed Reforms
  - (2) Sunshine Reform Task Force
  - (3) Significant Public Records Act Requests
  - (4) Council Policy Manual Update
- (j) Open Forum
- (k) Adjournment

**Deferred to 4/3/07, per Orders of the Day.**



### **3. STRATEGIC SUPPORT SERVICES**

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#### **3.2 Report of the Rules and Open Government Committee – February 28, 2007**

##### **Mayor Reed, Chair**

- (a) City Council
  - (1) Review March 6, 2007 Final Agenda
  - (2) Review March 13, 2007 Draft Agenda
    - (a) Review of items that meet exception rule
      - (1) Resolution Supporting Public Safety and Immigrant Rights.
- (b) Redevelopment Agency items reported out at Redevelopment Agency meeting
- (c) Legislative Update
  - (1) State
    - (a) City's Legislative Process and Suggested Methods for Taking Timely Action on Pending Issues.  
(Continued from 2/7/07)
  - (2) Federal
- (d) Meeting Schedules
  - (1) Setting a hearing for Spring 2007 for General Plan Amendments and Initiating the Reestablishment of a Fall Annual Review of the General Plan.  
(Continued from 2/7/07)  
Deferred to 3/14/07.
- (e) The Public Record
- (f) Appointments to Boards, Commissions and Committees
  - (1) Project Diversity Screening Committee Nomination.  
(Deferred from 2/7/07)
- (g) Rules Committee Reviews, Recommendations and Approvals
  - (1) Council Committee Procedures.
  - (2) United States Conference of Mayors January 24-26, 2007 Trip Report.
  - (3) Response to the Report of the Government Reforms & Ethics Subcommittee of the Mayor's Transition Committee.  
(Continued from 1/24/07)
  - (4) Public Safety, Finance and Strategic Support Committee.
  - (5) Disclosure of Ownership of Property Located within a Redevelopment Area.
  - (6) Council Expenditures and Reimbursements.  
(Continued from 1/31/07)  
Deferred to 3/7/07.
- (h) Review of Council Committee Agendas
- (i) Open Government Initiatives
  - (1) Reed Reforms
  - (2) Sunshine Reform Task Force
  - (3) Significant Public Records Act Requests
  - (4) Council Policy Manual Update
- (j) Open Forum
- (k) Adjournment  
(Deferred from 3/20/07 – Item 3.2)

**Deferred to 4/3/07, per Orders of the Day.**

### 3. STRATEGIC SUPPORT SERVICES

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#### 3.3 Report of the Public Safety, Finance and Strategic Support Committee – March 15, 2007 Council Member Nguyen, Chair

- (a) Consent Calendar
  - (1) Legislative Update. (City Manager's Office)  
**The Committee accepted the Staff report, with Staff requested to provide written status on Propositions 1A and 1B related to transportation funding and 1C related to funding for affordable housing.**
  - (2) Update of Council Directives. (City Manager's Office)  
**Deferred.**
- (b) Review of Performance Measures Specified in the Annual Budget. (City Manager's Office)  
**Deferred.**
- (c) Downtown Working Group Quarterly Update. (City Manager's Office/Police)  
**The Committee accepted the Staff Report.**  
**See Item 4.2 for Council Action Taken.**
- (d) Redevelopment Agency Monthly Financial Reports (Redevelopment Agency)
  - (1) Financial Statements – January 2007
  - (2) Capital Cost Report – January 2007
  - (3) Cash Flow Projections – January 2007**The Committee accepted the Staff Report.**  
**See RDA Agenda for Board Action Taken.**
- (e) External Auditor's Report on Single Audit and Management Letter on Internal Controls for Fiscal Year Ended June 30, 2006. (Finance)  
**The Committee accepted the Staff Report.**
- (f) Review of City Financial Investment Program and Investment Policy by External Auditor. (Finance)
- (g) Audit of the Traffic Calming Program. (Auditor)
- (h) Audit of the Bridge Repair Program. (Auditor)  
**Deferred.**
- (i) Oral Petitions  
**There were none presented.**
- (j) Adjournment  
**The meeting was adjourned at 3:30 p.m.**

**The Public Safety, Finance and Strategic Support Committee Report and the Actions of March 15, 2007, were accepted.**

### **3. STRATEGIC SUPPORT SERVICES**

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#### **3.4 Public hearing and approval to vacate property located at Magliocco Drive and Huff Avenue.**

**Recommendation:** Conduct a public hearing and adoption of a resolution to vacate the public service easement located at the northwest corner of Magliocco Drive and Huff Avenue. CEQA: Mitigated Negative Declaration, File No. PDC01-008. Council District 6. (Public Works)

**Resolution No. 73706 adopted.**

### **4. COMMUNITY & ECONOMIC DEVELOPMENT**

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#### **4.1 Report of the Community & Economic Development Committee Council Member Pyle, Chair No Report.**

#### **4.2 Approval of actions related to the Downtown Working Group Quarterly Update.**

**Recommendation:** Direction to staff to return in 60 days with specific recommendations related to the Downtown Working Group's proposals to improve the nightlife experience in the Downtown.

CEQA: Not a Project. (City Manager's Office)

[Public Safety, Finance and Strategic Support Committee 3/15/07 – Item (c)]

**Approved.**

### **5. NEIGHBORHOOD SERVICES**

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#### **5.1 Report of the Neighborhood Services and Education Committee Council Member Chirco, Chair No Report.**

#### **5.2 Approval of fiscal actions related to the Municipal Health Services Program Fund.**

**Recommendation:** Adoption of the following amendments to the 2006-07 Appropriation Ordinance and Funding Sources Resolution in the Municipal Health Services Program (MHSP), Fund 132:

- (a) Increase the Medicare Waiver Reimbursement Appropriation (Appn 0091) for health claim reimbursements by an amount of \$1,100,000; and
- (b) Increase the estimate for Revenue (Appn 8150) from the Centers for Medicare and Medicaid Services (CMS) by a total of \$1,100,000.

CEQA: Not a Project. (Parks, Recreation and Neighborhood Services)

**Ordinance No. 28005 adopted.**

**Resolution No. 73707 adopted.**

## **6. TRANSPORTATION & AVIATION SERVICES**

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### **6.1 Report of the Transportation and Environment Committee**

**Council Member Williams, Chair**

**No Report.**

### **6.2 Approval of actions related to the Airline-Airport Lease and Operating Agreements.**

#### **Recommendation:**

- (a) Adoption of a resolution authorizing the City Manager to:
  - (1) Negotiate and execute Signatory Airline-Airport Lease and Operating Agreements with all passenger and cargo airlines currently operating at the Norman Y. Mineta San José International Airport that meet the minimum requirements to be a signatory airline, for the term July 1, 2007 to June 30, 2012.
  - (2) Negotiate and execute Non-Signatory Airline-Airport Lease and Operating Agreements with any passenger or cargo airlines currently operating at the Norman Y. Mineta San José International Airport that do not meet the minimum requirements to be a signatory airline or chose not to enter into a signatory lease, for the term July 1, 2007 to June 30, 2012.
  - (3) Negotiate and execute Signatory and Non-Signatory Airline-Airport Lease and Operating Agreements with any passenger or cargo airlines that commence at the Norman Y. Mineta San José International Airport after July 1, 2007, for the term from commencement of operations to June 30, 2012.

**Resolution No. 73708 adopted.**

- (b) Approval of an ordinance amending Chapter 25.08 of Title 25 of the San José Municipal Code to add a new section establishing minimum requirements for the operation and use of the Norman Y. Mineta San José International Airport by any passenger or cargo airlines that have not signed either a Signatory or Non-Signatory Airline-Airport Lease and Operating Agreement on or after July 1, 2007.

CEQA: Resolutions Nos. 67380 and 71451, File No. PP07-034. (Airport)

(Deferred from 3/13/07 – Item 6.3)

**Heard no earlier than 2:30 p.m.**

**Ordinance No. 28006 passed for publication.**

**Staff was directed to return the leases to the generic language, which simply requires the airlines to abide by all governing City ordinance and regulations.**

### **6.3 Approval to apply for a grant for Airport Projects.**

**Recommendation:** Adoption of a resolution authorizing the City Manager to apply for, and execute upon receipt, grants from the Federal Aviation Administration in an amount not to exceed \$9.13 million to be used to partially defray the total estimated costs of \$11.33 million for the Runway Guard Light Replacement, Airport Rescue and Fire Fighting Facility Upgrade and the Runway 12R/30L Centerline Lights projects. CEQA: Resolution Nos. 67380 and 71451, File No. PP05-023. (Airport)

**Resolution No. 73709 adopted.**

## **6. TRANSPORTATION & AVIATION SERVICES**

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### **6.4 Approval of actions related to the Downtown Parking Guidance System.**

**Recommendation:** Adoption of a resolution authorizing the Director of Finance to:

- (a) Execute an agreement with TCS International for the purchase and installation of a Parking Guidance System for a total cost of \$1,251,770.53 including delivery, installation, training, sales tax, and one year of maintenance and warranty.
- (b) Execute change orders in an amount not to exceed a 10% or \$125,177.00 as contingency for unanticipated changes in the system design and/or installation and extended warranty period.
- (c) Execute options for maintenance and support for five one-year periods, subject to appropriation of funds.

CEQA: Exempt, File No. PP06-011. Council District 3. (Finance)

**Resolution No. 73710 adopted.**

### **6.5 Report on bids and approval to award the contract for the Surface Transportation Program Street Resurfacing/Rehab Project.**

**Recommendation:** Report on bids and award of contract for the Surface Transportation Program Street Resurfacing/Rehab Project to the low bidder, Top Grade Construction, Inc. in the amount of \$6,363,363, and approval of a contingency in the amount of \$320,000. CEQA: Exempt, File No. PP06-066. Council Districts 2, 4, 6, 7, 8 and 9. (Public Works/Transportation)

**Approved.**

## **7. ENVIRONMENTAL & UTILITY SERVICES**

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### **7.1 Approval of actions related to the Sewer Collection and Treatment System.**

**Recommendation:**

- (a) Acceptance of staff's report analyzing the infrastructure, planning and financing needs of the City's sewer collection and treatment system; and,
- (b) Provide direction to staff to proceed with the development of a Master Plan for the Water Pollution Control Plant (Plant) and development of a funding strategy to implement critical capital needs, including consideration of financing options for both short term critical projects and longer term Master Plan projects.

CEQA: Not a Project. (Environmental Services)

[Transportation and Environment Committee 3/5/07 - Item 6.1(a)]

(Deferred from 3/20/07 – Item 7.1)

**Report accepted.**

**Staff directed to look at monitoring the sewage system in real time in order to eliminate potential issues before they become problems.**

## 7. ENVIRONMENTAL & UTILITY SERVICES

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### 7.2 Approval of actions related to California Waste Solutions' Facility Planning.

**Recommendation:** Approval of a contingency plan for the Recycle Plus Program.

- (a) Accept verbal status report on California Waste Solutions' corporation yard planning and permitting progress.

**Report Accepted.**

- (b) Direct the City Manager to:

- (1) Take all necessary actions to prepare the FMC site to serve as a temporary corporation yard for California Waste Solutions in time for the July 2, 2007 startup of Recycle Plus Services and direction to staff to provide a status report of this effort to the Transportation and Environment Committee on April 2, 2007.
- (2) Suspend collection of large items for Single Family Dwellings for Districts A and C from June 18 – 30, 2007 and authorize the City Manager to extend this suspension to August 17, if required.

- (c) Council direction to California Waste Solutions

- (1) To submit by Tuesday, March 27, 2007, by 5 p.m., a complete application to amend the Conditional Use Permit for the used oil storage at California Waste Solutions' site located at 1005 Timothy Drive, San Jose, as discussed with California Waste Solutions on March 23, 2007, and as repeatedly requested since September 2006.
- (2) To submit by Tuesday, March 27, 2007, by 5 p.m., a complete application for the 521 Charcot Avenue site, with all operations, except truck parking, conducted indoors in the existing building, as a means to expedite the permitting process for a corporation yard for California Waste Solutions, as discussed on March 8, 15, 21, 22 and 23.
- (3) To submit by Tuesday, March 27, 2007, by 5 p.m., an industrial truck washing contract or the complete plans for a self-contained mobile truck washing system.
- (4) To submit by Tuesday, March 27, 2007, by 5 p.m., the Materials Recovery Facility upgrade plans for 1005 Timothy Drive, as repeatedly requested, and proposed in Request for Proposals submittal, since February 2007

**Approved.**

- (d) By March 29, 2007, at 5 p.m., if City Manager deems the items listed in section (c) are incomplete, authorize City Manager to negotiate and execute an agreement with Norcal Waste Systems to provide continued recycling collection services for Districts A and C through September 30, 2007, with an option to extend for an additional 90 days.

CEQA: Not a Project. (Environmental Services)

[Transportation and Environment Committee 3/5/07 - Item 6.1(g)]

(Referred from 3/20/07 – Item 7.4)

**Approved, with Staff directed to return on April 10, 2007 with a status report.**

## 8. PUBLIC SAFETY SERVICES

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## 9. JOINT COUNCIL/REDEVELOPMENT AGENCY

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The Joint Council/Redevelopment Agency Board convened at 4:08 p.m. to Consider Item 9.1 in a Joint Session.

### 9.1 Approval of a Pilot Program for a Cost/Benefit Analysis.

**Recommendation:** Approval of staff's recommended methodology to implement a Pilot Program for a cost benefit analysis for projects, activities and events seeking public funding. CEQA: Not a Project. (City Manager's Office)

(Rules Committee referral 3/7/07 – Item G2)

**Deferred to 4/3/07, per Council Vote.**

**Noes: Campos, Nguyen.**

### 9.2 Approval of City Council and Redevelopment Agency Committee appointments.

**Recommendation:** Approval of City Council and Redevelopment Agency Committee appointments. (Mayor)

(Rules Committee referral 3/21/07 – Item F2)

**Approved, as amended; the appointment to the San José Arena Authority was deleted.**

The Joint Council/Redevelopment Agency Board adjourned at 4:35 p.m.

- Notice of City Engineer's Pending Decision on Final Maps

In accordance with Sec. 19.16.140d of the San José Municipal Code, this is notice of the City Engineer's pending decision on the following Final Maps:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/ Units</u>	<u>Type</u>	<u>Proposed Decision</u>
9884	North side of West San Carlos Street, 650 feet west of Meridian Avenue	6	SummerHill	21 Lots / Homes	MFA 95 Units	Approve

- Notice of City Engineer's Award of Construction Projects  
None.

- **Open Forum**
  - (1) **Robert Apgar voiced personal observations.**
  - (2) **Mark Trout presented religious points of view.**
  - (3) **Ross Signorino asked Council about the financial arrangements regarding the “49ers” coming to Santa Clara.**
  - (4) **Ed Rast provide an update on the work of the Sunshine Reform Task Force.**
  
- **Adjournment**

**The Council of the City of San José adjourned at 4:43 p.m. in memory of Linda Riley, Central Services Supervisor, Purchasing Division of the Finance Department, who passed away after a long battle with cancer.**



## **8. JOINT REDEVELOPMENT AGENCY ITEM**

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**The Joint Redevelopment Agency Board convened at 4:45 p.m. to consider Item 8.1 in a Joint Session.**

### **8.1 Approval of agreements related to funding of the Guadalupe River Park Rotary Heritage Plaza.**

**Recommendation:**

- (a) Adoption of a resolution by the City Council providing a three-year notice to the Rotary Club of San Jose of any action by the City to change the name of Rotary Heritage Plaza or remove the Rotary Plaza pavers during their useful life, except for purposes of public safety.

**Resolution No. 73711 adopted.**

- (b) Redevelopment Agency Board approval of an agreement with the San Jose Rotary Club Endowment granting \$100,000 to the Redevelopment Agency for purposes of constructing the Guadalupe River Park Rotary Heritage Plaza; and,
- (c) Redevelopment Agency Board approval of an agreement with the Friends of the Guadalupe River Park and Gardens granting \$50,000 to the Redevelopment Agency for purposes of constructing the Guadalupe River Park Rotary Heritage Plaza.

**CEQA: Resolution No. 71373, File No. PP07-019 [JULIAN-STOCKTON]**

**Approved.**

**The Council of the City of San José, and Redevelopment Agency Board adjourned at 4:49 p.m.**